

Administrative law  
Sem-III

18 Nov 2015  
3.00 to 6.00

Q.P.Code No. : **23593**

(3 hrs.)

Total Marks 100

- N.B: 1) Attempt all questions  
2) Figures to the right indicate full marks  
3) Support your answers with relevant case laws

1. Answer in short (not more than two sentences)

20 marks

1. What is Doctrine of Res-judicata?
2. What is a Writ?
3. Write any two reasons for establishment of Public Corporations.
4. What do you understand by Administrative Discretion?
5. Give two landmark judgments relating to Natural Justice.
6. What is doctrine of unjust enrichment?
7. Explain the term contractual liability of the Government.
8. What is Henry VIII clause?
9. What is pecuniary bias?
10. What is procedural ultra vires?

2. Write short notes (any four)

20 marks

1. Doctrine of Legitimate Expectation
2. Reserve Bank of India
3. Delegated Legislation
4. Public Interest Litigation
5. Dr Bonham's Case
6. Doctrine of Public Accountability

3. Situational Questions (SOLVE any Two)

Marks 12

1. A former minister was accused irregularities in the distribution of tenders. He was summoned before The Anti-Corruption Bureau. After further investigation an FIR was registered in the matter. Some people were arrested in the above matter.

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- i. Do you think the appointment of lokayukta will help in controlling and curbing corruption involving higher level executives? Explain.
  - ii. Explain the object of the Lokpal Act.
2. As Ambedkar puts it, "There can be no difference of opinion in the house that our judiciary must both be independent of the executive and must also be competent in itself."
  - i. Discuss the collegiums system of appointment of judges vis-a-vis the NJAC.
  - ii. Discuss the concept of separation of power in the light of the above statement.
3. In a blow to a State Government, the High Court quashed an ordinance issued by it to pave way to delay local bodies polls terming it as unconstitutional and directed the State Election Commission to conduct polls before expiry of their terms.
  - i. What is Judicial Review? Explain with the help of the above situation.
  - ii. Can High Court quash the ordinance promulgated by Governor under the power of judicial review.
4. Answer any Four. Marks 48
  1. Define Administrative law. Give reasons for the growth of Administrative law.
  2. Discuss the Doctrine of Rule of Law in the light of Indian Constitution.
  3. What is a Public Corporation? What are the various measures of control of public corporations?
  4. What is Natural Justice? Elaborate the principles of Natural Justice with the help of judgments of Supreme Court?
  5. Define the term "Civil Service". Discuss the functions, powers and duties of Union Public Service Commission.
  6. Elaborate the Theory of Separation of power as propounded by Montesquieu.

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(मराठी रुपांतर)

(३ तास)

एकूण गुण : १००

- सूचना :
१. सर्व प्रश्न अनिवार्य आहेत
  २. उजवीकडील अंक प्रश्नांचे पूर्ण गुण दर्शवितात.
  ३. उत्तरांना न्यायनिर्णयाचा संदर्भ द्या.
  ४. मराठी रुपांतराचे आकलन न झाल्यास इंग्रजी प्रश्नपत्रिका कृपया पहावी.

प्रश्न १) थोडक्यात उत्तरे लिहा - (दोनपेक्षा अधिक वाक्यांचा उपयोग करू नये.) (२० गुण)

१. रेस-ज्युडिकेटा (Res-judicata) म्हणजे काय?
२. याचिका (Writ) म्हणजे काय?
३. सार्वजनिक महामंडळाच्या (Public Corporation) स्थापनेची कोणतेही दोन कारणे लिहा?
४. प्रशासकीय स्वेच्छाधिकार (administrative discretion) म्हणजे काय
५. नैसर्गिक न्यायाबाबत दोन महत्वाचे न्यायनिर्णय सांगा
६. अनजस्ट एनरिचमेंटस्चे (unjust enrichment) तत्व काय आहे.
७. शासनाचे कराराबाबचे दायित्व स्पष्ट करा
८. हेनरी VIII क्लॉज काय आहे
९. आर्थिक पक्षपात (Pecuniary Bias) स्पष्ट करा.
१०. " शक्तीबाह्य कार्यपद्धती " (ultra vires) म्हणजे काय ?

प्रश्न २) थोडक्यात टीपा लिहा - (कोणत्याही चार) (२० गुण)

१. कायदेशीर अपेक्षा सिध्दांत (Doctrine of Legitimate Expectation)
२. भारताची रिझर्व्ह बँक
३. प्रत्यायोजित कायदा
४. अनहित याचिका
५. डॉ. बोनहमस् केस
६. सार्वजनिक जबाबदारीचे तत्व (Doctrine of Public Accountability)

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प्रश्न ४) खालील प्रश्नांची उत्तरे लिहा - (कोणतेही चार)

(४८ गुण)

१. प्रशासकीय कायद्याची व्याख्या सांगा आणि त्याच्या वाढीची कारणे द्या?
२. कायद्याच्या राज्याच्या तत्वाची भारतीय संविधानाच्या संदर्भात चर्चा करा?
३. सार्वजनिक महामंडळे म्हणजे काय? सार्वजनिक महामंडळांवर नियंत्रण ठेवण्याबाबतचे विविध उपाय कोणते ते लिहा?
४. नैसर्गिक न्याय म्हणजे काय? मा. सर्वोच्च न्यायालयाच्या न्यायनिवाडाच्या अनुषंगाने नैसर्गिक न्यायाचे तत्व स्पष्ट करा?
५. नागरी सेवेची व्याख्या सांगा? केंद्रीय लोक सेवा आयोगाची कार्ये, अधिकार व कर्तव्य याबाबत चर्चा करा?
६. मॉटेक्यूने मांडलेले सत्तेचे विभाजनाचे तत्व स्पष्ट करा?

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